UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/739,354	12/18/2003	Chad M. Fors	CE10577R	9648

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EXAMINER
JACKSON, JENISE E

ART UNIT	PAPER NUMBER
2439	

NOTIFICATION DATE	DELIVERY MODE
02/05/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

	Application No.	Applicant(s)
Office Action Summary	10/739,354	FORS ET AL.
	Examiner	Art Unit	
	JENISE E. JACKSON	2439	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Daly(5,930,262) in view of Yahagi(5,642,401).

3.   As per claim 1, Daly discloses a method of providing authentication services for

applications that are running on a client and requiring access to a network based server, the

method comprising: establishing a network connection further comprising an authentication with

the network; generating, responsive to the authentication, a first dynamic seed locally at the

network based server(see col. 1, lines 38-49); generating a second application key independently

at the client corresponding to the locally generated second dynamic seed, wherein the second

application key is generated without utilizing the first application key(see col. 3, lines 49-67, col.

4, lines 1-50); providing the generated first application key to facilitate authenticating an

application at the network based server and the generated second application key to facilitate

authenticating an application at the client(see col. 3, lines 49-67, col. 4, lines 1-50).

Daly does not disclose generating, responsive to the authentication, a second dynamic seed

locally at the client without utilizing the first dynamic seed, wherein the generated second

dynamic seed is consistent with the first dynamic seed. Yahagi discloses generating, responsive

to the authentication, a second dynamic seed locally at the client without utilizing the first

dynamic seed, wherein the generated second dynamic seed is consistent with the first dynamic

seed(col. 7, lines 31-34). It would have been obvious to one of ordinary skill in the art at the

time of the invention to include a second dynamic seed locally at the client without utilizing the

first dynamic seed, wherein the generated second dynamic seed is consistent with the first

dynamic seed of Yahagi with Daly, because this method can prevent interception of

identification data associated with a mobile station(see col. 2, lines 49-53 of Yahagi).

2.   As per claim 2, Daly discloses storing the first application key at the network based

server for subsequent retrieval to facilitate the authenticating an application and wherein

generating the second application key further comprises storing the second application key at the

client for subsequent retrieval to facilitate the authenticating an application(see col. 4, lines 51-

65).

3.   As per claim 3, Daly discloses the first application key further comprises generating a

plurality of application keys where each of the plurality of keys corresponds to a different

application and wherein generating the second application key further comprises generating a

plurality of application keys where each of the plurality of keys corresponds to a different

application(see col. 3, lines 49-67, col. 4, lines 1-50).

4.   As per claim 4, Daly discloses providing an application seed and generating keying

information specific to the application and wherein providing the second application key further

comprises providing an application seed and generating keying information specific to the

application(see col. 4, lines 51-62, col. 5, lines 1-11).

5.   As per claim 5, Daly discloses providing a new application key every time the

authenticating the application is required and wherein providing the second application key

further comprises providing a new application key every time the authenticating the application

is required(see col. 4, lines 51-67, col. 5, lines 1-36).

6.   As per claim 6, Daly discloses providing the first application key further comprises

providing the first application key corresponding to a time duration within which the first

application key is valid and wherein providing the second application key further comprises

providing the second application key corresponding to a time duration within which the second

application key is valid(see col. 5, lines 1-36).

7.   As per claim 7, Daly disclose generating the first dynamic seed further generating a new

dynamic seed each time an authentication with the network occurs, the generating the first

application key further comprises generating a new application key corresponding to the new

dynamic seed, and the providing the first application key further comprises providing the new

application key(see fig. 3, col. 3, lines 49-67, col. 4, lines 1-67, col. 5, lines 1-36).

8.   As per claim 8, Daly discloses wherein the authentication with the network

utilizes processes corresponding to an Extensible Authentication Protocol(see col. 2, lines 23-

56).

9.   As per claims 9, 19, Daly discloses implemented by one of a client and a network

server(fig. 2, col. 2, lines 57-67).

10.   As per claims 10, 20, Daly discloses implemented by one of a wireless client and a

network server accessed via a wireless network(see col. 2, lines 23-56, col. 4, lines 1-67).

11.   As per claim 11, Daly discloses a computer readable medium storing programming

instructions for operating a system entity to provide authentication services for applications that

are running on a client and requiring access to a network based server, including programming

instructions for(see col. 3, lines 1-25); establishing a network connection and completing an

authentication with the network, generating a first application key independently at the network

based server based on the first dynamic seed and a second application key

independently at the client based on the second dynamic seed(see col. 3, lines 61-67); and

providing, on demand, the first and second application keys to facilitate authenticating an

application(see col. 5, lines 11-35). Daly does not disclose generating a second dynamic seed

locally at the client, wherein the second dynamic seed is generated without utilizing the first

dynamic seed. Yahagi discloses generating a second dynamic seed locally at the client, wherein

the second dynamic seed is generated without utilizing the first dynamic seed(see col. 7, lines

31-34). It would have been obvious to one of ordinary skill in the art at the time of the invention

to include generating a second dynamic seed locally at the client, wherein the second dynamic

seed is generated without utilizing the first dynamic seed of Yahagi with Daly, the motivation is

that this method can prevent interception of identification data associated with a mobile

station(see col. 2, lines 49-53 of Yahagi).

12.   As per claim 12, Daly discloses wherein the programming instructions for storing the first

application key in persistent storage at the network based server and the second application key

in persistent storage at the client for subsequent retrieval to facilitate the authenticating an

application(see col. 3, lines 3-15, 27-47).

13.   As per claim 13, Daly discloses wherein the programming instructions for generating a

plurality of application keys where each of the plurality of keys is derived from the first and

second dynamic seeds and corresponds to a different application(see col. 4, lines 7-50).

14.   As per claim 14, Daly discloses wherein the programming instructions providing the

application key further provides an application seed; and wherein the computer readable medium

further comprises the programming instructions for using the application seed for generating

keying information specific to the application(see col. 3, lines 26-60).

15.   As per claim 15, Daly discloses wherein the programming instructions for providing a

different application key every time the authenticating the application is required(see col. 3, lines

61-67).

16.   As per claim 16, Daly discloses wherein the programming instructions for providing the

first and second application keys and the first and second application keys further corresponds to

a time duration within which the application key is valid(col. 4, lines 7-65).

17.   As per claim 17, Daly discloses wherein the programming instructions for providing a

new dynamic seed each time an authentication with the network occurs, and for generating a new

application key corresponding to the new dynamic seed and providing the new application key to

facilitate the authenticating the application(see col. 2, lines 23-56).

18.   As per claim 18, Daly discloses wherein the programming instructions for completing the

authentication with the network utilizes processes corresponding to one of a smart card, an

Extensible Authentication Protocol with Subscriber Identity Module extensions, an Extensible

Authentication Protocol with Transport Level Security extensions, and an Extensible

Authentication Protocol with Authentication and Key Agreement extensions(see fig. 3, col. 3,

lines 49-67, col. 4, lines 1-67, col. 5, lines 1-11).

Response to Applicant

19.   Applicant's arguments filed 11/12/08 have been fully considered but they are not persuasive.

20.   The Applicant states that Daly does not disclose generating, responsive to the authentication, a first dynamic key seed locally at the network based server. The Examiner disagrees with the Applicant. Daly discloses the authentication center manages A-keys associated with each mobile station for the purpose encrypting transmissions between each mobile station and the cellular network. Furthermore, during activation of the mobile station, the authentication center may also generate data encryption values for transmission to a mobile station, and process data encryption values received from the mobile station for purposes of generating an A-key for use in subsequent transmissions(see col. 2, lines 47-56).

21.   The Applicant states that Daly nor Yahagi disclose generating, responsive to the authentication, a second dynamic seed locally at the client without utilizing the first dynamic seed. The Examiner disagrees with the Applicant. Yahagi discloses the authentication target independently obtains an authentication calculation result by using an authentication key, an authentication algorithm, and the random number (see col. 7, lines 25-34). Yahagi discloses the random number generating means independently generates an authentication random number to transmit when an authentication request is made with respect to the mobile station (see col. 4, lines 1-4).

Final Action

22.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JENISE E. JACKSON whose telephone number is (571)272-

3791. The examiner can normally be reached on Increased Flex time, but generally in the office

M-Fri(8-4:30)..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 29, 2001
/J. E. J./
Examiner, Art Unit 2439

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434